

AGENDA
PLANNING AND ZONING COMMISSION
Monday, March 19, 2018
5:00 PM

ROLL CALL

EXECUTIVE SESSION TO DISCUSS A LEGAL MATTER

APPROVAL OF MINUTES

1. **February 19, 2018**
[February 19, 2018](#)

COMPREHENSIVE PLAN UPDATE

RULES FOR CONDUCTING PUBLIC HEARINGS

Applicant and applicant representatives for the proposal will speak first for a period not to exceed 15 minutes.

Those members of the public desiring to speak on a particular item should refer to a meeting agenda and fill out a request to speak form indicating which item they wish to speak on and place it in the designated location prior to the meeting. Once the item is announced, each person's name who has filled out a form will be called on to speak. Proponents will speak, then the opponents. Each speaker will not be allowed more than three minutes. The speakers are requested to limit their remarks and to avoid duplication in their presentations.

Applicant will be allowed a total period of five minutes for rebuttal.

Items placed on the Consent Agenda by the Planning Commission Staff will not have time allocated for speaking, unless there is a member of the public present at the meeting who wishes to speak on the item.

CONSENT AGENDA

Items other than waivers with no outstanding issues. Items may be approved with a single motion without a public hearing, unless removed from the consent agenda and placed in the regular agenda order.

CONSENT - ITEMS FOR WITHDRAWAL

13

CONSENT - ITEMS FOR DEFERRAL

16, 18, 20, 21, 23

CONSENT - ITEMS FOR APPROVAL

REGULAR AGENDA

Items will require approval by the Metropolitan Council unless otherwise noted.

THESE ITEMS WILL REQUIRE APPROVAL BY COUNCIL

2. **PA-2-18 9143 South Tiger Bend Road**
To amend the Comprehensive Land Use Plan from Agricultural/Rural (AG/RU) to Industrial (I) on property located on the east side of South Tiger Bend Road, south of Womack Road, on Tract S of the Alpha Land Company, Inc. Property. Section 42, T8S, R2E, GLD, EBRP, LA (Council District 9 - Hudson)
PLANNING STAFF FINDINGS: Recommend approval, considering the existing non-conforming use and the applicant's desire to address the non-conformity
Related to Case 15-18, PA-24-17, and Case 123-17
[Application](#) [Staff Report](#)

3. **Case 15-18 9143 South Tiger Bend Road**

To rezone from Rural (R) to Light Industrial (M1) on property located on the east side of South Tiger Bend Road, south of Womack Road, on Tract S of the Alpha Land Company, Inc. Property. Section 42, T8S, R2E, GLD, EBRP, LA (Council District 9 - Hudson)

PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the criteria for a change of zoning, if the companion Comprehensive Plan amendment is approved and the Planning Commission and Council support the elimination of the nonconformity

Related to PA-2-18, PA-24-17, and Case 123-17

[Application](#) [Staff Report](#)

4. **PA-24-17 9163, 8900-10600 UND South Tiger Bend Road**

To amend the Comprehensive Land Use Plan from Agricultural/Rural (AG/R) to Industrial (I) on property located on the east side of South Tiger Bend Road, south of Womack Road, on Tract P and Q of the Alpha Land Company, Inc. Property. Section 42, T8S, R2E, GLD, EBRP, LA (Council District 9 - Hudson)

PLANNING STAFF FINDINGS: Recommend denial, based upon the land use designation of Agricultural/Rural appearing appropriate considering the development pattern in the area

Related to PA-2-18, Case 123-17, and Case 15-18

[Application](#) [Staff Report](#)

5. **Case 123-17 9163, 8900-10600 UND South Tiger Bend Road**

To rezone from Rural (R) to Light Industrial (M1) on property located on the east side of South Tiger Bend Road, south of Womack Road, on Tract P and Q of the Alpha Land Company, Inc. Property. Section 42, T8S, R2E, GLD, EBRP, LA (Council District 9 - Hudson)

PLANNING STAFF FINDINGS: Staff cannot certify that the proposed request meets the criteria for a change of zoning, while it is consistent with UDC requirements regarding lots designated M1 and will be consistent with the comprehensive plan if the Plan Amendment is approved, it is not compatible with uses along south Tiger bend that are predominately low density single family residences

Related to PA-24-17, PA-2-18, and Case 15-18

[Application](#) [Staff Report](#)

6. **PA-1-18 17501 Florida Boulevard**

To amend the Comprehensive Land Use Plan from Agricultural/Rural (AG/RU) to Commercial (C) on property located on the north side of Florida Boulevard, at the northeast quadrant of the intersection of Florida Boulevard frontage road and Riverside Park Drive, on an approximately 0.25 acre portion of a 12.5-acre tract, known as the Jessie Kline Property. Section 70, T7S, R2E, GLD, EBRP, LA (Council District 4 - Wilson)

PLANNING STAFF FINDINGS: Recommend approval, based upon compatibility with the surrounding area and a review of the area in a greater level of detail than done at creation of the plan

Related to Case 14-18

[Application](#) [Staff Report](#)

7. **Case 14-18 17501 Florida Boulevard**

To rezone from Light Commercial (LC2) to Heavy Commercial (HC1) on property located on the north side of Florida Boulevard, at the northeast quadrant of the intersection of Florida Boulevard frontage road and Riverside Park Drive, on an approximately 0.25 acre portion of a 12.5-acre tract, known as the Jessie Kline Property. Section 70, T7S, R2E, GLD, EBRP, LA (Council District 4 - Wilson)

PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum criteria for a change of zoning, if the plan amendment is approved to make it consistent, being compatible with surrounding uses, and conforming to Unified Development Code requirements

Related to PA-1-18

[Application](#) [Staff Report](#)

8. **TA-1-18 Chapter 20, Definitions**

To revise existing definitions and add new within the Unified Development Code, Chapter 20 related to the Flood Ordinance in an effort to simplify and strengthen regulations for greater protection from flooding

PLANNING STAFF FINDINGS: Approval is recommended, based on Council direction to develop ordinance language providing better protection from flooding and consistency with the comprehensive plan

[Staff Report](#)

9. **Case 3-18 319 and 325 North 26th Street**

To rezone from Limited Residential (A3.1) to Heavy Commercial (HC2) on property located on the west side of North 26th Street, north of Florida Street, on Lot 7-A, Block 18 of Duchien Place Subdivision. Section 47, T7S, R1W, GLD, EBRP, LA (Council District 10 - Wicker)

PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum criteria for a change of zoning, being consistent with the Comprehensive Plan, compatible with surrounding uses, and conforming to Unified Development Code requirements

[Application](#) [Staff Report](#)

10. **Case-12-18 4343 South Sherwood Forest Boulevard**

To rezone from Heavy Commercial (HC1) to Commercial Alcoholic Beverage (Restaurant) (C-AB-1) on property located on the east side of South Sherwood Forest Boulevard, to the south of Lake Sherwood Avenue South, on a portion of Lot 13-A of Lake Sherwood Commercial Complex. Section 51, T7S, R2E, GLD, EBRP, LA (Council District 8 - Amoroso)

PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum criteria for a change of zoning, being consistent with the Comprehensive Plan, compatible with surrounding uses, and conforming to Unified Development Code requirements

[Application](#) [Staff Report](#)

11. **Case 13-18 12220, 12230 Old Hammond Highway**

To rezone from Rural (R) to Heavy Commercial (HC1) on property located on the south side of Old Hammond Highway, to the east of Boulevard de Province, on Tract B of the Wallace Heck Property. Section 38, T7S, R2E, GLD, EBRP, LA (Council District 8 - Amoroso)

PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum criteria for a change of zoning, being consistent with the Comprehensive Plan, compatible with surrounding uses, and conforming to Unified Development Code requirements

[Application](#) [Staff Report](#)

12. **ISPUD-1-18 Electric Depot-Building A**

A proposed entertainment center with alcohol sales located on the north side of Government Street, and east of South 15th Street on Lot GSU-2, part of the Magnesiaville Subdivision Section 49, T7S, R1W, GLD, EBRP, LA (Council District 10 - Wicker)

PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum criteria for an Infill/ Mixed Use Small Planned Unit Development being consistent with the Comprehensive Plan, compatible with surrounding uses, and conforming to Unified Development Code requirements

[Application](#) [Staff Report](#) [Plans](#)

13. **CONSENT FOR WITHDRAWAL SPUD-3-17 Arless**

A proposed low-density single family residential development located on the northeast corner of Carter Avenue and Old Hammond Highway, on Lots 1, 2, 3-A, 4-A, 5 of the Day-Hutchinson property, Lots 6 and 7 of the Hutchinson and Day Subdivision, and Tract A of the Fair Day Estates Subdivision. Section 83, T7S, R1E, GLD, EBRP, LA (Council District 11 - Watson)

Withdrawn by the applicant on February 21, 2018

THESE ITEMS REQUIRE ONLY PLANNING COMMISSION APPROVAL AND WILL NOT GO ON TO COUNCIL FOR ACTION

14. **SPUD-5-00 Mount Hope Plantation (Renewal)**
 A renewal of an expired development plan located on the north side of Highland Road and east of Albert Hart Drive, on an Undesignated Tract and the J. Hammatt Tract, being a portion of Anna Young Hammatt Property. Section 65, T8S, R1E, GLD, EBRP, LA (Council District 12 - Freiberg)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request is consistent with the Comprehensive Plan, compatible with the surrounding neighborhood, and meets the minimum requirements of the Unified Development Code for Planning Commission consideration
[Application](#) [Staff Report](#) [Plans](#)
15. **SPUD-6-14 Park 7 Apartments Revision 3**
 A revision to update/reduce the total number of required parking spaces, reduce the number of compact spaces, and add an interior access gate to parking garage located on the northwest of East Boyd Drive, between Dodson Avenue and Swire Avenue, on Lot P-7 of the University View Homesites Subdivision. Section 66 and 67, T7S, R1W, GLD, EBRP, LA (Council District 12 - Freiberg)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum criteria for a Small Planned Unit Development, being consistent with the Comprehensive Plan, compatible with surrounding uses, and conforming to Unified Development Code requirements
[Application](#) [Staff Report](#) [Plans](#)
16. **CONSENT FOR DEFERRAL PUD-1-04 The Park at Willow Grove, The Settlement at Willow Grove Final Development Plan**
 Proposed amenities clubhouse and pool with parking lot on property located to the north of the intersection of Lane's End and Willow Grove Boulevard, on Tract CH-1 of the Settlement of Willow Grove, Phase II, 3rd Filing, Section 56, T8S, R1E, GLD, EBRP, LA (Council District 11 - Watson)
Related to PUD-1-04, Willow Grove Plantation

Deferred to April 16 by Councilman Watson
[Application](#)
17. **PUD-1-04 Willow Grove Plantation, The Settlement at Willow Grove Final Development Plan**
 A proposed bed and breakfast with an office and event center on property located to the east of Willow Grove Boulevard, between Cypress Barn Drive and Petit Pierre Avenue, on Tract WG-3 and WG-B-1-A-1-B of the Settlement of Willow Grove, Section 56, T8S, R1E, GLD, EBRP, LA (Council District 11 - Watson)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request is consistent with approved concept plan and meets the minimum requirements of the Unified Development Code for Planning Commission consideration
Related to PUD-1-04, The Park at Willow Grove
[Application](#) [Staff Report](#) [Plans](#)
18. **CONSENT FOR DEFERRAL PUD-2-00 Whataburger, Burbank University Final Development Plan**
 A proposed restaurant with drive thru located on property at the south side of Burbank Drive and west of Ben Hur Road on Tract C-1-A-1-A-3-C-1 of the Nelson Tract. Section 36, T7S, R1W, GLD, EBRP, LA (Council District 12 - Freiberg)
Deferred to April 16 by the Planning Director

19. **PUD-17-06 Phase 1, Part 3B, The Preserve at Harveston Final Development Plan**
A proposed plan to establish lot layout for residential homes and a proposed pond on property located east of Bluebonnet Boulevard and south of Highland Road, on the Remainder of Tract Y-5-A of the Longwood & Burtville Property. Section 51 and 52, T8S, R1E, GLD, EBRP, LA (Council District 3 - Loupe)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request is consistent with approved concept plan and meets the minimum requirements of the Unified Development Code for Planning Commission consideration
[Application](#) [Staff Report](#) [Plans](#)
20. **CONSENT FOR DEFERRAL TND-1-07 Phase 1C Revision 1, Rouzan Final Development Plan**
A proposed revision to provide three retail buildings and one mixed use building with a parking garage on property located South of Perkins Road, east of Glasgow Avenue, on Lot RZ-4 and a portion of Lot RZ-3 of the Ralph Ford Property. Section 94, T7S, R1E, GLD, EBRP, LA (Council District 12 - Freiberg)
Deferred to April 16 by the Planning Director
21. **CONSENT FOR DEFERRAL CUP-2-13 United Christian Faith Ministries Gymnasium Center (9229 North Ridgewood Drive)**
A proposed gymnasium and additional parking lot on property located on the east side of Joor Road and north of North Ridgewood Drive, on Lot 11-A of the Sunnybrook Annex Subdivision. Section 48, T6S, R1E, GLD, EBRP, LA (Council District 5 - Green)
PLANNING STAFF FINDINGS: Staff cannot certify the proposed request, while the use is consistent with the Comprehensive Plan and compatible with surrounding uses, it does not conform to UDC requirements as follows: •Submittal is incomplete and contains inconsistent sheets in violation of §8.106 of the UDC; •Required 20 ft L2 buffer along the north and south property lines where abutting single family uses is not provided as required by §18.3.3 of the UDC nor are the requirements for a reduced buffer met as defined in §18.7.5 addressed; •Circulation plan fails to meet the requirements of §4.101 of the UDC.; and, •Required bicycle parking is not provided per §17.6.1 of the UDC.
Deferred to April 16 by Councilwoman Green
[Application](#) [Staff Report](#) [Plans](#)
22. **S-2-18 Kimbleton Estates, 3rd Filing**
A proposed subdivision of property located east of Kimbleton Avenue, north of Jefferson Highway, on Tracts A-1 and A-2 of the Kimbleton Estates Subdivision, 2nd Filing (Council District 9 - Hudson)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum requirements of the Unified Development Code for Planning Commission consideration
[Application](#) [Staff Report](#) [Plans](#)
23. **CONSENT FOR DEFERRAL SS-1-18 J. P. Creaghan Property**
A proposed five lot subdivision, and dedication of a private street, located to the west of Puligny Avenue, north of Hoo Shoo Too Road, on Tract Z-1-C of the J. P. Creaghan Property (Council District 9 - Hudson)
Deferred to April 16 by the Planning Director
24. **DP-1-18 637 St. Ferdinand Street**
A proposed demolition of a building over 50 years old in the Downtown Development District located on the northeast quadrant of the intersection of St. Ferdinand Street and Europe Street, on Lot 3, Block 33 of Beauregard Town (Council District 10 - Wicker)
PLANNING STAFF FINDINGS: Recommend approval, considering the requested demolition satisfies the requirements of the Unified Development Code
[Application](#) [Staff Report](#)

COMMUNICATIONS

DIRECTOR'S COMMENTS

COMMISSIONERS' COMMENTS

ADJOURN